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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/209,015	12/10/1998	NATHAN ABRAMSON	101.957.156	8933
7590 MICHAEL A DIENER HALE AND DORR 60 STATE STREET BOSTON, MA 02109		12/04/2007	EXAMINER RIES, LAURIE ANNE	
			ART UNIT 2176	PAPER NUMBER
			MAIL DATE 12/04/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Interview Summary

Application No.

09/209,015

Applicant(s)

ABRAMSON ET AL.

Examiner

Laurie Ries

Art Unit

2176

All participants (applicant, applicant's representative, PTO personnel):

(1) Laurie Ries, Examiner. (3) \_\_\_\_\_

(2) Michael Diener, Applicant's Representative. (4) \_\_\_\_\_

Date of Interview: 29 November 2007.

Type: a) ☒ Telephonic b) ☐ Video Conference  
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.

If Yes, brief description: \_\_\_\_\_

Claim(s) discussed: 18-20.

Identification of prior art discussed: N/A.


Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

 11/29/07  
Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Returned Attorney Diener's call regarding the Notice of Non-Compliant Amendment filed on 16 November 2007, to the Amendment after BPAI decision, filed on 1 October 2007. The Examiner explained that the problem with the amendment was that the newly added claims, 18-20, had not been examined for any possible 112 or 101 issues, and in order to allow us to examine these newly added claims, prosecution would need to be reopened by filing an RCE. The Examiner also noted that an alternate course of action would be to resubmit the amendment without any new claims. The Examiner addressed the Applicant's comments regarding a conversation with Supervisory Patent Examiner Stephen Hong on 27 September 2007. Noted that Mr. Hong stated he did not recall this conversation when asked about it by the Examiner on 28 November 2007. Since there is no record of any agreement in the case regarding adding new claims after a BPAI decision, the Examiner has chosen to follow the advice given by the QAS specialist, namely that the amendment was improper for the reasons stated above. The Applicant has been advised to either submit an RCE to reopen prosecution in order to allow the newly added claims to be examined, or to cancel the newly added claims and resubmit the amendment after BPAI decision..